

MINUTES
YANCEYVILLE TOWN COUNCIL
March 11, 2014
7:00 PM

The Special Meeting of the Yanceyville Town Council was held in the Council Chambers at the Yanceyville Municipal Services Building on March 11, 2014 at 7:00 PM.

Council members present: Curtis E. Davis-Mayor, Alvin Foster-Mayor Pro-Tem, Keith Tatum, Odessa Gwynn, and Brian Massey.

Staff: Brian Collie, Town Manager

Item 1- Call To Order

Mayor Davis called the meeting to order at 7:00 PM. The meeting opened with silent prayer followed by the pledge of allegiance. The Mayor also reviewed the Statement of Rules and Procedures.

Item 2- Review and Adoption of Agenda-Mayor & Council

Mrs. Odessa Gwynn asked Mayor Davis that before adoption of the agenda why there was not any explanation or supporting documentation to appoint a Town Attorney as listed in item 6. She stated that before we approve the agenda she would like to know what that is. Mayor Davis said that she should recall a previous meeting where Council talked about the hiring Mr. Lee Farmer as the Town's new Attorney. Mrs. Gwynn said no, that was not what was discussed, that there was no agreement, and she had not seen a letter of resignation from the former Town Attorney, Mr. Bateman. She was concerned that Council did not have a proposed contract, salary, or anything had been presented before the consideration of Mr. Lee Farmer. Mrs. Gwynn made a motion that the agenda be approved with Item 6 being moved to Closed Session. Mayor Davis said that we also need to while we are considering that motion move Item 12 to Item 13 and then Item 13 to Item 12. Mrs. Gwynn agreed to add that in her motion. Mr. Alvin Foster said that with that motion Council would need to come out of closed session and then consider the appointment of the Town Attorney. Mrs. Gwynn felt that it should not be done at this meeting because Council had not been given any supporting documentation and that she believed that it was not a good practice for the Town. Mr. Foster seconded the motion. The motion passed with a unanimous vote.

Item 3- Consent Agenda

Mayor Davis said that next on the agenda was the consent agenda, minutes from February 4, 2014. Mrs. Gwynn said that she was told that the minutes were to be revised to accurately portray the second paragraph under review and adoption of the agenda concerning the appointment of the interim manager, Carolyn Payne. She said that the paragraph does not state what actually happened and that she would like it revised to state what actually happened. Mrs. Gwynn said that the minutes need to accurately reflect what takes place. Mr. Collie stated that if Council would like, that he could go back and listen to the tape and fix the section Mrs. Gwynn was referring to. Mrs. Gwynn made a motion to hold off approving the February 4, 2014 minutes until they were revised. Mayor Davis said ok and then stated that we look at the February 10th minutes. Mrs. Gwynn said that those minutes were from a closed session meeting and the only thing we have for those is that who met, who voted us in, and who voted us out. Mrs. Gwynn wanted more information reflected in these minutes. She said that she has them on her

recorder and that she would get them to Mr. Collie so that he could update them as well as get them off of her recorder.

Mayor Davis then requested that Council review the minutes from February the 18th, 2014. Mrs. Gwynn moved that they be approved. The motion was seconded by Mr. Foster and passed with a unanimous vote.

Item 4- Public Comments

Mayor Davis welcomed Ms. Margie Badgett-Lampkin. Ms. Badgett-Lampkin stated that she resided at 168 Dillard School Dr. She addressed a letter that she had written to Council while she was still a member about the actions of former Town Manager, Mr. Brigman. She wanted to reassure the Council of the seriousness of the matter and that she never received an answer to her letter now was any action taken against Mr. Brigman. She said that he alleged that she, Ms. Merritt, and Ms. Graves were breaking an ordinance that he never quoted and showed discrimination and disrespect to the citizens of the Town. Ms. Badgett-Lampkin wanted the Council to make sure that future Town Managers do not overstep their bounds. She stated that she wanted a resolution to the problem taken care of internally.

Mr. Rodney Badgett addressed the Council and stated that he lived at 168 Dillard School Dr. Mr. Badgett said that as we were saying the pledge of allegiance he thought how nice it would be if we really lived by that pledge. Mr. Badgett addressed Council member Foster stating that the school system and the penal institutions are our largest employers. He said so most everyone else has to go somewhere else to work. He said since Mr. Foster is the only person he knew associated with the “studios” that he had hoped that he could get some information to the owners. He said that we are losing many of our small businesses. He said that previous owners of the studio lack the motivation to make Yanceyville a better place. He wondered if the current owners would be partially open to doing something to bring to a larger group of people the existence of the property sitting there. He said that the “studios” have one of the best built sound stages that he has ever been around. He wasn’t sure if there could be some kind of partnership with the company that owns the “studio” and the Town to try to make Yanceyville a better place.

Ms. Ruby Graves addressed Council and stated that she lived at 950 Main Street. She said that she has addressed Council on four different occasions concerning the actions of former Town Manager, Haynes Brigman on October 31st. She said that she cannot request a ordinance amendment because there was no ordinance in place. She said that Mr. Brigman lied saying that there was an ordinance in place. She requested that an ordinance be written to protect other citizens from being humiliated from false statements. She said the Mayor and Council should have more consideration of the citizens in this Town.

Item 7- Appointment of Piedmont Triad Regional Council Delegate

Mayor Davis went to item seven on the agenda which was appointment of the Piedmont triad Regional Council Town Delegate. Mayor said that we have had Mr. Foster representing us for the last couple years and that he would like to see him continue to represent us. Mayor Davis made a motion to re-appoint Mr. Alvin Foster as the Piedmont Triad Regional Council delegate for the Town. Mrs. Gwynn seconded the motion and it passed with a unanimous vote. Mr. Foster said that we also need to appoint an alternate. Mrs. Gwynn made a motion to appoint Mayor Davis as the alternate. The motion was seconded by Mr. Foster and passed with a unanimous vote.

Item 8- Appointment of RPO Delegate

Mayor Davis said that Mr. Foster has been serving on that Board and needs to continue serving. Mr. Foster said that the reason that is because the PTRC meetings are the same day as the RPO meetings so instead of having two people traveling to Kernersville in the same day it makes it easier for the two delegates be the same person. Mrs. Gwynn made a motion to re-appoint Mr. Foster as the Town's RPO delegate. The motion was seconded by Mayor Davis and passed with a unanimous vote. Mr. Foster said that we would need an alternate for this board as well. Mrs. Gwynn made a motion to appoint Mayor Davis as the RPO alternate delegate. The motion was seconded by Mr. Foster and passed with a unanimous vote.

Item 9- Fire Department Enrollment

Mayor Davis said that due to the age of some of the current Firemen that the Fire Department wanted to bring in some junior Firemen to train. Mr. Brian Massey said they would like to increase the number of Firemen from 33 to 40. He said that it takes approximately 5 to 8 years to train a fireman properly. He said they have a Fireman at the Fire Department that is 77 and what we don't want to happen are vacancies come up with some of the older guys and we not have anyone to fill their place with any experience. Mr. Massey said that we are trying to prevent that from happening in the future by getting these junior Firemen. He said that they would have to be insured under workers comp just like the other firemen. Mrs. Gwynn asked how they went about in selecting individuals because she was concerned about how the process worked. Mr. Massey said that they receive applications and put qualified individuals on a waiting list. He said that there is criteria that they have to meet to even be eligible. He said that after selected by the Fire Department they go on a year's probation and if anytime during that year if they do not meet up to expectations they are released at that time. He said that a person will show you in a year what they will do. He said that they take this very seriously because it is dealing with matters of life and death. Mrs. Gwynn asked if they had a committee that post when they are receiving applications. Mr. Massey said that she should address that with Vernon Massengill to get more specifics. Mrs. Gwynn made a motion to increase the number of Firemen from 33 to 40. The motion was seconded by Mr. Foster and passed with a unanimous vote.

Item 10- Discharging Firearms

Mr. Foster requested that Mr. Collie look further into the language for discharging firearms since he was involved with the Counties Shooting Range Ordinance. Mr. Foster made a motion to list ranges as a special use permit and for Mr. Collie to bring it back before Council as a completed document. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote.

Item 11- Emergency Water Line Project Update

Mayor Davis informed Council that Alley, Williams, Carmen, & King are handling the project for the Town and that the pre-bid meeting was today. He stated that bids for the job will be received on March 25, 2014. He said that this was for the emergency water line coming from V.A. to the Town's lines in Providence.

Item 5- Introduction of Town Manager

Mayor Davis introduced native Mr. Brian Collie to the Town and Council as the Town's new Manager. Mayor Davis said that they were happy to have him and if anyone ever has a problem or concern please go to his office. Mr. Collie thanked the Council and said that he appreciates the opportunity and looks forward to serving this Council and the citizens of this Town.

Item 12- Manager's Report

Mr. Collie stated that the Town has begun the process of installing a master meter at the Old Farm Apartments. Public Works Director, Mark Guthrie, reports that they have four meters that have been broken for several years and they have not made any effort to repair them so that we are unable to get accurate readings which is costing the town in lost revenue. He said that one of the broken meters is for the Laundry Room. During the course of this time the town has lost over \$6,000 in water revenues due to leaks and broken meters. The Master Meter will allow us to get accurate readings and accurate billing for this property. Cost for this project will be funded with the funds that were budgeted from the Enterprise Reserve Fund. No budget amendment will be needed.

Mr. Collie stated that the Town is preparing documents requested by the USDA for the financing of the Fire Department expansion. He said that Mr. Allen Hart, with USDA is setting up a meeting with the Town Engineers, Town Manager and Finance Officer to review the engineers estimate and discuss the bidding process. The next step will be the request for bids. At the request of the USDA we did send out two RFP' for financing to American National Bank and Fidelity Bank. American National did provide a bid while we did not get a response from Fidelity by the deadline. We will continue to provide updates as this project moves forward.

Mr. Collie said that Chief Massengill informed us that the Fire Department has been awarded a grant from the Danville Regional Foundation in the amount of \$11,000. While they have received notice that they are getting the grant the funds have not been received to date.

Mr. Collie stated that he received notice from Darrell Russell that the Town can reapply for the Clean Water State Revolving Fund grant loan program again this year since we did not get funded last year, and that Council needs to decide if they want to reapply for the grant/loan program again this year. He said the Town applied last year but did not get the funding. This funding is to address issues at the lagoon and Waste Water Treatment Plant. In order to apply again this year you need to pass a resolution since the resolution passed last year is over a year old. You have a copy of the resolution which is the same as the one passed last year but with a current date but will need a motion and vote. Mr. Collie said the deadline for the application is April 1. Mr. Foster made a motion to adopt the resolution. Mrs. Gwynn seconded the motion that passed with a unanimous vote.

Mr. Collie stated that a copy of the January Financial Statement has been included for your review. He then said that a copy of the letter approving an extension for the CDBG 08 grant is enclosed for your review. We have until May 5th to complete this project. Also a copy of the Monthly Performance Report required as part of the CDBG grant administration has been included for your review. This grant requires a match so we will need to do a budget amendment to get the match funds back into the budget in order to complete this project. This amendment will be placed on the April agenda. Details will be included in your April agenda packets. Mrs. Gwynn asked if the same projects from the project area are getting upgraded. Mr. Collie said that he believed it was some of the projects that were initially talked about. Mrs. Gwynn agreed to add \$58,000 back into the budget for the 2008 CBDG grant project

Mr. Collie said that Council needs to decide if they are going to have the First Friday's this year. We will need to plan ahead in order to set a performance schedule. If so they will need to submit the name and

contact information of individuals or groups that wish to participate. Council agreed that they would continue First Fridays. Mayor Davis said if anyone knows of any acts for First Fridays that they need to let him know immediately.

Mr. Collie said he had some additional information to add to the Manager's report. He said that we recently realized we need to have a public hearing before April 1st to meet grant deadlines for CDBG water sewer funding. Mr. Collie said that in order to meet public hearing advertising dates and meet the April 1st deadline that Town Council would need to meet on March 31st to have these public hearings. Mrs. Gwynn made a motion to either have the public hearings on March 31st or April 1st depending on a response from the PTRC. The motion was seconded by Mr. Foster and passed with a unanimous vote.

Mr. Collie brought to the Council's attention two letters from NCDENR. He said the first was a violation of high haloacetic acid levels at the water plant and the second being a violation from the Yanceyville water supply dam. Mr. Collie said he would look into both of these violations. Mrs. Gwynn said that the citizens need to be notified about water issues sooner. Mayor Davis made a motion to get Alley, Williams, Carmen, & King to handle the engineer request from NCDENR at the Yanceyville Water Supply Dam. The motion was seconded by Mr. Foster and passed with a unanimous vote.

Mrs. Gwynn addressed Council asking for a motion to approve her attendance at the Alliance of the NC Black Elected Officers Summit. She said that she has brought it up approximately 3 to 4 times. Mrs. Gwynn then explained what the meetings consisted of and how it would benefit the Town for her to be able to go. She stated that in the past she has not had to get a motion to get approval to go. Mr. Massey asked did she know how much the trip would cost. Mrs. Gwynn said no. Mayor Davis asked for a motion to allow the Town to pay for Mrs. Gwynn to go. Mrs. Gwynn made the motion but stated that if we are going to need motions for travel that there needs to be some guidelines for each Council member to follow. Mr. Massey asked would the trip benefit 100% of the people in the Town. Mrs. Gwynn said that yes it would. Ms. Ruby Graves from the audience asked to speak. Mayor Davis said that this was a Council matter and that she was not allowed to speak. After further discussion Mr. Massey said that if it indeed benefitted 100% of the Town that he is ok with her going. Mrs. Gwynn said that it needs to be fair and that every Council member needs to come before Town Council and get approval for travel. Mr. Massey said that's the way it should be. Mrs. Gwynn said that she would get with the Town Manager to set up the trip.

13- Closed Session Pursuant to NC G.S. 143-318.11(a)(6)

Mayor Davis requested a motion to go into closed session. Mrs. Gwynn made a motion to go into closed session. The motion was seconded by Mr. Foster and passed with a unanimous vote. Minutes from this closed session are located within the Town Clerk's office and are available for Town Council's review.

Item 6- Appointment of Town Attorney

Mr. Foster made a motion to go back into regular session. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote. Mayor Davis said that during closed session Town Council discussed hiring Lee Farmer as the Town Attorney. Mr. Foster made a motion to contract with Mr. Lee Farmer as the Town's Attorney with a monthly retainer to not exceed \$1,000. The motion was seconded by Mr. Tatum. Mrs. Gwynn said that she thought he was going to get Council something in writing. Mr. Farmer stated that he would get the Town something in writing. The motion passed with a 4 to 1 vote with Mrs. Gwynn voting no. She said that let the record show that she voted no because she felt she needed to see something in writing first.

Adjournment

Mr. Tatum made a motion to adjourn the meeting. The motion was seconded by Mr. Massey. The meeting was adjourned at 9:45 PM.

Brian Collie, Town Manager, prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting. A detailed account of this meeting is available for review on tape at the Yanceyville Municipal Services Building.

Respectively Submitted:

Curtis E. Davis, Mayor

Brian S. Collie, Town Clerk